

**Greater Sudbury Hydro Inc.**

**Application for electricity distribution rates beginning  
May 1, 2020**

**PROCEDURAL ORDER NO. 1  
January 22, 2020**

Greater Sudbury Hydro Inc. (Greater Sudbury Hydro) filed a cost of service application with the Ontario Energy Board (OEB) on October 31, 2019 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Greater Sudbury Hydro charges for electricity distribution, to be effective May 1, 2020. The application was accepted by the OEB as complete as of December 2, 2019.

The OEB issued a Notice of Hearing on December 16, 2019. Each of Energy Probe Research Foundation (Energy Probe), Pollution Probe, School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility

No objection was received from Greater Sudbury Hydro.

Each of Energy Probe, Pollution Probe, SEC and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. Energy Probe, Pollution Probe, SEC and VECC are eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*.

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party, unless a compelling reason is provided when cost claims are filed.

## Issues List

It is the OEB's expectation that parties will be best positioned to identify issues relevant to Greater Sudbury Hydro's application after the applicant has responded to interrogatories. Greater Sudbury Hydro, OEB staff and the intervenors shall develop and OEB staff shall file a proposed issues list for the OEB's consideration. The OEB will approve an issues list prior to the settlement conference.

## Interrogatories

At this time, provision is being made for written interrogatories. The OEB will review the single test year application both in the context of the projects and programs that are requested for the test year and from the perspective of the distributor's plans for the subsequent four years until the next scheduled rebasing application.

Parties should examine the value presented by the proposed investments as opposed to focussing only on the costs. Parties should also assess the fit between the applicant's plans and its stated objectives, and consider how the plans contribute to positive outcomes for customers, in particular those outcomes that arise from the asset management decisions reflected in the applicant's distribution system plan. The OEB will consider the entire five year distribution system plan to assess the planning and pacing proposals of the applicant and whether the test year requests are appropriately aligned with the distribution system plan. The OEB will also consider productivity and benchmarking results in assessing cost forecasts, bill impacts and distributor performance.

Parties should not engage in detailed exploration of items that do not appear to be material. Parties should use the materiality thresholds documented in Chapter 2 of the Filing Requirements as a guide. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult sections 26 and 27 of the OEB's *Rules of Practice and Procedure* regarding required naming and numbering conventions and other matters related to interrogatories.

## Presentation of Settlement

Following the settlement conference, provision is being made for the presentation of any settlement proposal filed by Greater Sudbury Hydro, whether full or partial, and for the presentation of any unsettled issues to be adjudicated by the OEB. Greater Sudbury Hydro's presentation is intended to summarize and provide any salient information for the OEB's consideration in reviewing the settlement proposal. With respect to any unsettled issues, the presentation should focus on how the issues relate to the business conditions Greater Sudbury Hydro anticipates over the next five years, the planning it has undertaken to address system needs and customer preferences, and its proposal regarding how the costs of distributing electricity ought to be recovered from customers through the rates they pay, taking into consideration the OEB's policies. The purpose of the presentation is not to provide an opportunity for cross-examination by the parties, but rather for Greater Sudbury Hydro to present any settlement and any remaining issues in the case.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

### IT IS THEREFORE ORDERED THAT:

1. OEB staff shall request any relevant information and documentation from Greater Sudbury Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **February 7, 2020**.
2. Intervenors shall request any relevant information and documentation from Greater Sudbury Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **February 12, 2020**.
3. Greater Sudbury Hydro shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors by **March 2, 2020**.
4. OEB staff shall file a proposed issues list, or, alternatively, shall advise the OEB in writing that the parties and OEB staff have been unable to reach an agreement on a draft issues list by **March 12, 2020**.

5. A settlement conference among the parties and OEB staff will be convened on **March 23, 2020** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the settlement conference will continue on **March 24, 2020** and **March 25, 2020**.
6. Any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **April 17, 2020**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues, indicating with reasons whether the parties believe those issues should be dealt with by way of oral or written hearing.
7. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **April 24, 2020**.
8. If there is no settlement proposal arising from the settlement conference, Greater Sudbury Hydro shall file a statement to that effect with the OEB by **March 30, 2020**. In that event, parties shall file and serve on the other parties by **April 6, 2020** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
9. The OEB is setting a tentative date of **May 1, 2020** starting at 9:30 a.m. at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto, for Greater Sudbury Hydro to present to the OEB any settlement proposal and a summary of any unsettled issues in the case.

All materials filed with the OEB must quote the file number, EB-2019-0037, be made in a searchable/unrestricted PDF format and sent electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and email address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.oeb.ca/industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have computer access are required to file seven paper copies.

All communications should be directed to the attention of the Registrar at the address below, and be received no later than 4:45 p.m. on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Donald Lau at [Donald.Lau@oeb.ca](mailto:Donald.Lau@oeb.ca) and OEB Counsel, Lawren Murray at [Lawren.Murray@oeb.ca](mailto:Lawren.Murray@oeb.ca).

**ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4  
Attention: Board Secretary

Email: [boardsec@oeb.ca](mailto:boardsec@oeb.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto, **January 22, 2020**

**ONTARIO ENERGY BOARD**

**By delegation, before: Christine E. Long**

*Original signed by*

Christine E. Long  
Registrar and Board Secretary

**SCHEDULE A**

**PROCEDURAL ORDER NO. 1**

**GREATER SUDBURY HYDRO INC.**

**EB-2019-0037**

**JANUARY 22, 2020**

**APPLICANT AND LIST OF INTERVENORS**

**Greater Sudbury Hydro Inc.  
EB-2019-0037**

**APPLICANT & LIST OF INTERVENORS**

January 22, 2020

**APPLICANT**

**Rep. and Address for Service**

**Greater Sudbury Hydro Inc.**

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**INTERVENORS**

**Rep. and Address for Service**

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Foundation**

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EB-2019-0037

**APPLICANT & LIST OF INTERVENORS**

January 22, 2020

**Energy Probe Research  
Foundation**

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**School Energy Coalition**

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EB-2019-0037**

**APPLICANT & LIST OF INTERVENORS**

January 22, 2020

**School Energy Coalition**

**Mark Rubenstein**

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**Vulnerable Energy  
Consumers Coalition**

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